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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X,

MARCUS WEBB,

Plaintiff,

11 CIV 7517 (JSR)

- against -

SYLVESTER STALLONE, ET AL,

Defendants.

-----X

**DECLARATION OF
TREVOR SHORT IN
SUPPORT OF DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT**

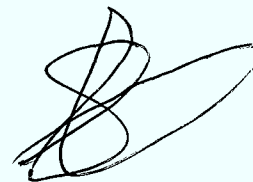
TREVOR SHORT declares as follows:

1. I am the Chief Financial Officer of Nu Image, Inc., one of the defendants in this action. I am personally familiar with the matters hereinafter set forth, except as may be otherwise indicated.

2. Nu Image, Inc.'s affiliates Double Life Productions, Inc. and Alta Vista Productions, Inc. (collectively "Nu Image") acquired certain rights and then produced the motion picture which is at issue in this action, "The Expendables" (the "Film"). In connection with the development and production of that project, Nu Image retained the services of Sylvester Stallone as an actor, director and writer for the Film. In addition, Nu Image acquired from Warner Bros. Pictures the rights to the draft screenplay entitled "Barrow," which David Callaham had written for Warner Bros. and which was later revised by Stallone for the Film.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 12, 2012.

A handwritten signature in black ink, consisting of a stylized 'T' and 'S' intertwined, positioned above a horizontal line.

Trevor Short